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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

AMERICAN CIVIL RIGHTS FOUNDATION,  
a non-profit, public benefit corporation,

19 Plaintiff,

20 | v.

21 CITY OF OAKLAND, CALIFORNIA, a  
22 political subdivision of the State of California,  
and the PORT OF OAKLAND, a public entity,

23 Defendants.

CASE NO. CV 07-6058 (JCS)

**DEFENDANTS' NOTICE OF MANUAL  
FILING OF SUPERIOR COURT RECORD  
VOLUMES 1 - 4**

Courtroom: A  
Judge: Hon. Joseph C. Spero

## **MANUAL FILING NOTIFICATION**

Regarding County of Alameda Superior Court Record Volumes 1 – 4 filed in support of Defendants' Notice of Removal on November 30, 2007.

This filing is in paper or physical form only, and is being maintained in the case file in the Clerk's office. Only the index to these documents, attached as Exhibit A, was served on the parties, as they already have a complete set of the superior court record.

For information on retrieving this filing directly from the court, please see the court's main web site at <http://www.cand.uscourts.gov> under Frequently Asked Questions (FAQ).

This filing was not e-filed for the following reason:

**Voluminous Document (PDF file size larger than e-filing system allowances).**

Dated: December 10, 2007

Respectfully submitted,

MYEWS, NAVE, RIBACK, SILVER & WILSON

By: \_\_\_\_\_ /S/  
Mara E. Rosales  
Attorneys for Defendants  
CITY OF OAKLAND and  
PORT OF OAKLAND

1036964v1

# Exhibit A

### INDEX TO ALAMEDA COUNTY SUPERIOR COURT RECORD

Item No.	Description	Date
<b>VOLUME 1</b>		
1.	Complaint for Declaratory and Injunctive Relief (CCP §§ 1060 & 520a)	07/06/07
2.	Civil Case Cover Sheet Filed for American Civil Rights Foundation	07/06/07
3.	Summons on Complaint Issued and Filed	07/06/07
4.	Initial Case Management Conference 11/19/2007 08:30 AM D- 21	07/09/07
5.	Notice of Judicial Assignment for All Purposes Issued	07/09/07
6.	Declaration of Service Filed re: Notice of Judicial Assignment for All Purposes and Notice of Case Management Conference and Order	07/23/07
7.	Defendants City of Oakland and Port of Oakland's Stipulation for Extension of Time to Answer Complaint	08/10/07
8.	Order Granting Stipulation and Order Re: Extension of Time	08/13/07
9.	Proof of Service of Summons by Mail Filed	08/20/07
10.	Notice of Acknowledgment of Service Filed	08/20/07
11.	Proof of Service of Summons by Mail Filed	08/20/07
12.	Notice of Acknowledgment of Service Filed	08/20/07
13.	Stipulation Re: Memoranda in Excess of Page Limitation (Other Ex parte) Filed:	09/10/07
14.	Order Granting Stipulation Re: Other Ex parte	09/11/07
15.	Joint Defendants' Notice of Demurrer and Demurrer to Plaintiff's Complaint Filed by City of Oakland, California, a political subdivision of the State of California with: Memorandum of Points and Authorities in Support of Defendants' Demurrer to the Complaint Proof of Service [Proposed] Order Sustaining Defendants' Demurrer to Plaintiff's Complaint	09/24/07
<b>VOLUME 2</b>		
16.	Joint Defendants' Request for Judicial Notice in Support of Their Demurrer to the Complaint (Set 1 of 2)	09/24/07
<b>VOLUME 3</b>		
17.	Joint Defendants' Request for Judicial Notice in Support of Their Demurrer to the Complaint (Set 2 of 2)	09/24/07
<b>VOLUME 4</b>		
18.	Declaration of Rowena Quindiagan in Support of Defendants' Demurrer Filed	09/24/07
19.	Stipulation and [Proposed] Order filed re: Other Ex parte Filed:	09/25/07
20.	Stipulation Re: Other Ex parte Granted	09/27/07

**INDEX TO ALAMEDA COUNTY SUPERIOR COURT RECORD**

21.	Joint Defendants' Notice of Motion and Motion to Strike Portions of Plaintiff's Complaint with Memorandum of Points and Authorities in Support Filed by City of Oakland, California, a political subdivision of the State of California with: Declaration of Danny Wan in Support of Defendants' Request for Judicial Notice in Support of Defendants' Demurrer to the Complaint and Motion to Strike Proof of Service [Proposed] Order Granting Defendants' Motion to Strike Portions of the Complaint Joint Defendants' Request for Judicial Notice in Support of Their Motion to Strike Portions of the Complaint	10/25/07
21.	Joint Case Management Statement Filed	11/01/07
22.	Case Management Conference Order Issued	11/01/07
23.	Plaintiff's Opposition to Joint Defendants' Motion to Strike Portions of Plaintiff's Complaint Filed	11/26/07
24.	Plaintiff's Opposition to Joint Defendants' Request for Judicial Notice in Support of their Demurrer to the Complaint and Motion to Strike Portions of the Complaint	11/26/07
25.	Plaintiff's Opposition Defendants' Motion for Demurrer Filed	11/26/07
26.	Plaintiff's Request for Judicial Notice in Support of Opposition to Joint Defendants' Demurrer to Complaint, and Opposition to Motion to Strike Portions of the Complaint Filed for Plaintiff	11/26/07
27.	Declaration of Joshua P. Thompson in Support of Plaintiff's Request for Judicial Notice in Support of Its Opposition to Joint Defendants' Demurrer to Complaint, and Opposition to Joint Defendants' Motion to Strike Portions of the Complaint Filed	11/26/07
28.	Appendix Non-California Authorities Volume 1 of 2 Filed	11/26/07
29.	Appendix of Non-California Authorities Volume 2 of 2 Filed	11/26/07
30.	Association of Attorneys Filed	11/27/07

**PROOF OF SERVICE****FRCP RULE 5(b)**

I am employed in the City of San Francisco and County of San Francisco, California. I am over the age of 18 years and not a party to the within action. My business address is MEYERS, NAVE, RIBACK, SILVER & WILSON, 575 Market Street, Suite 2600, San Francisco, California 94105.

On December 10, 2007, I served the within:  
**DEFENDANTS' NOTICE OF MANUAL FILING OF SUPERIOR COURT RECORD  
VOLUMES 1 -4**

on the parties in this action by placing a true copy thereof in a sealed envelope, addressed as follows:

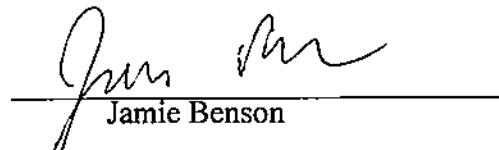
Sharon L. Brown, Esq. Alan W. Foutz Ralph W. Kasarda, Jr. Pacific Legal Foundation 3900 Lennane Drive, Suite 200 Sacramento, California 95834	Attorneys For Plaintiff, American Civil Rights Foundation Telephone: (916) 419-7111 Facsimile: (916) 419-7747
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X (By First Class Mail) I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Francisco, California. I am readily familiar with the business practice for collection and processing of mail in this office; and that in the ordinary course of business said document would be deposited with the U. S. Postal Service in San Francisco on that same day. I understand that service shall be presumed invalid upon motion of a party served if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained in this declaration.

X (By ELECTRONIC SERVICE) I caused said document(s) to be sent via electronic means to the email address(es) listed above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED at San Francisco, California, on December 10, 2007.



Jamie Benson